

REMARKS/ARGUMENTS

Claims 1-16, 20, 22, 23, 27-31, 33, 38, 39, 43-46, 49-68, 72-77 stand canceled.

Claims 32, 34, 35, 40, 48, 69, 70, 71 have been amended to independent form, including all parent claim limitations including all of the limitations of the base claim and any intervening claims, and respective claims have been amended to overcome the 35 U.S.C. §112 rejection, as further noted below, in accordance with the Examiner's indication that claims 32, 34-37, 40-42, 48, 69-71 would be allowable if so amended. This indication of allowability is noted with appreciation.

Responsive to the 35 U.S.C. §112 rejection of claims 10, 11, 57, 58, 66, 67 on page 2 of the Office Action, such rejection is now moot because these claims have been canceled.

Responsive to the 35 U.S.C. §112 rejection on page 3 of the Office Action, the objected term "direct drive connection" in claim 27 has been deleted from those claims incorporating the language of claim 27, namely amended claims 32, 34, 35, 40. Claims 36, 37 depend from claim 35. Claims 41, 42 depend from claim 40.

Responsive to the 35 U.S.C. §112 rejection on page 3 of the Office Action, the objected term "intercepts" has been replaced by the term --intersects-- in claims 35, 36, 37.

Responsive to the 35 U.S.C. §112 rejections of claims 61 and 76 at the bottom of page 3 of the Office Action, these rejections are now moot because such claims have been canceled.

Claims 17, 18, 21, 24, 26, 47 have been amended, and consideration of claims 16-19, 21, 24-26, 47 in view of the following remarks is respectfully requested.

Claim 17 requires that the upstream end (130) of the second loading conveyor (26) be spaced upstream of the upstream entrance end (22) of the first loading conveyor (18). As seen in Fig. 3, upstream entrance 130 of loading conveyor 26 is spaced leftwardly of upstream entrance end of loading conveyor 18. Claim 17 has been rejected over Wallace U.S. Patent 3,620,431 in view of Gage et al. U.S. Patent 1,654,871. In response, it is

respectfully noted that upstream end 58 of the upper conveyor in Fig. 1 is not spaced upstream of upstream entrance end 64 of the lower conveyor. Consideration and allowance of the combination defined in claim 17 is respectfully requested.

Claim 18 requires that each of the upstream and downstream ends (130 and 132) of the second loading conveyor (26) be spaced upstream of each of the respective upstream and downstream ends (22 and 24) of the first loading conveyor (18). This is not satisfied in Gage '871, nor the combination of Gage '871 and Wallace '431, nor Wallace '431 modified per Gage '871. Consideration and allowance of claim 18 is respectfully requested.

Claim 19 depends from claim 18 and is believed allowable for the reasons noted above. Furthermore, claim 19 requires that the upstream end (130) of the second loading conveyor (26) be spaced rearwardly of the upstream end (22) of the first loading conveyor (18) by a first offset distance (134), and that the downstream end (132) of the second loading conveyor (26) be spaced rearwardly of the downstream end (24) of the first loading conveyor (18) by a second offset distance (136). Claim 19 further requires that the defined second offset distance (136) be greater than the defined first offset distance (134). This is not met by the references, whether or not combined or modified. Consideration and allowance of claim 19 is respectfully requested.

Claim 21 requires that the entrance guide (142) be an idle roller (144) spaced rearwardly and downwardly of the upstream end (22) of the first loading conveyor (18), and that the strand (12) extends upwardly to the idle roller (144) and then upwardly and forwardly to the upstream end (22) of the first loading conveyor (18). Claim 21 has been rejected under 35 U.S.C. §103(a) over Wallace '431. The Examiner states that it would have been obvious to provide idle rollers upstream of the loading conveyors 39, or make rollers 31 of Wallace idle rollers since it is old and well known to guide materials using idle rollers. In response, it is firstly noted that roller 31 in Wallace '431 is a driven roller, Col. 2, line 63. Secondly, applicant respectfully notes MPEP 2144.03 indicating "the rationale supporting an obviousness rejection may be based on common knowledge in the art or 'well-known' prior art" and "the Examiner may take official notice of facts outside of the record which are capable of instant and unquestionable demonstration as being 'well-known' in the art" and "if

justified, the Examiner should not be obliged to spend time to produce documentary proof" and "if the knowledge of such notorious character that official notice can be taken, it is sufficient so to state". However, MPEP 2144.02 also states, second paragraph, last sentence "if the applicant traverses such an assertion the Examiner should cite a reference in support of his or her position". Applicant hereby respectfully but vigorously traverses such assertion.

Claim 24 requires that the second rotary conveyor pulley (150) be rearward of the first rotary conveyor pulley (148), and that the inlet (146) be rearward of the first rotary conveyor pulley (148) and below the second rotary conveyor pulley (150). Claim 24 was rejected under 35 U.S.C. 103(a) over Wallace '431 in view of Babbin et al. U.S. Patent 3,946,918. The Examiner states that the second rotary conveyor pulley is rearward of the first rotary conveyor pulley and the inlet of the modified apparatus of Wallace is rearward of the first rotary conveyor pulley when the rearward direction is, for example, in the direction from the axis of rotation of the downstream pulley of the first (lower) conveyor toward the axis of rotation of the upstream pulley of the second (upper) conveyor. Applicant has carefully reviewed the references, but cannot find such structure, whether combined or modified. Clarification is respectfully requested. It is believed that the structural combination defined in claim 24 is distinct and non-obvious, and allowance of claim 24 is respectfully requested.

Claim 25 depends from claim 24 and is believed allowable for the reasons noted above. Furthermore, claim 25 requires that the entrance guide (142) further comprises an idle roller (144) spaced rearwardly and downwardly of the inlet (146), and that the strand (12) extends upwardly to the idle roller (144) and then upwardly and forwardly to the inlet (146) and then forwardly to the upstream end (22) of the first loading conveyer (18). This structural combination is not shown nor suggested in the references.

Claim 26 requires that the entrance guide (142) comprises the combination of an inlet cone (146) spaced rearwardly of the upstream end (22) of the first loading conveyor (18) and an idle roller (144) spaced rearwardly and downwardly of the inlet cone (146), and that the strand (12) extends upwardly to the idle roller (144) and then upwardly and

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forwardly to the inlet cone (146) and then forwardly to the upstream end (22) of the first loading conveyor (18). This structure and combination is not shown nor suggested in the references.

Claim 47 requires that the first and second loading conveyors (18 and 26) comprise respective first and second upstream rotary pulleys (148 and 150), and that the second pulley (150) be spaced rearwardly and upwardly from the first pulley (148), and that the roller cam (188) be forward of the second pulley (150). Claim 47 was rejected under 35 U.S.C. §103(a) over Wallace '431 in view of Karius U.S. Patent 3,054,545 and further in view Gage et al. '871. It is respectfully submitted that, even considering the references as a whole for what they reasonably suggest, including modifications, there is still no teaching nor suggestion of the structure of the second pulley (150) being spaced rearwardly and upwardly from the first pulley (148) in combination with the roller cam (188) being forward of the second pulley (150), absent the guidance of applicant's disclosure. Allowance of claim 47 is respectfully requested.

It is believed that this application is now in condition for allowance with claims 17-19, 21, 24-26, 32, 34-37, 40-42, 47, 48, 69-71, and such action is earnestly solicited.

Respectfully submitted,

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